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**W. A. McIntyre/ Rules of Practice/ Small Claims Procedure/
American Government/ Challenging Grand Juries/ Others Seem
To Understood/ Going Too Strong**

North Dakota Law Review Associate Editors

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The meeting approved the bill prepared by the Committee on Criminal Law and Procedure of the State Association (see page 16 of the December, 1933, issue of Bar Briefs), and the report of the Committee on Fee Schedule (see page 150 of the June, 1934, issue of Bar Briefs), adding to the latter the following schedule for foreclosures: Mortgages of \$1000 or less: \$50.00; Mortgages of \$1000 to \$2000: \$75.00; Mortgages over \$2000: \$75.00, plus 1% on the amount in excess of \$2000.

District officers elected were: President, John A. Stormon, Rolla; Vice-Presidents, Clyde Duffy, Devils Lake, Frank Van Kent, Lakota, J. E. Garvey, Cavalier, H. B. Senn, Rugby, W. T. DePuy, Grafton, L. B. Stevens, Rolla, James Little, Leeds; Secretary-Treasurer, D. J. McLennan, Rolla.

W. A. McINTYRE

Enjoying one of his periodical respites from the burdening cares of the day with friends on the golf course, W. A. McIntyre, (Grand Forks, President State Bar Association 1926-27, member State Bar Board) suddenly found his physical labors ended, his cares and worries swept aside, and a judgment of "well done, good and faithful servant," entered without an uttered application. Shocking in its suddenness, his passing brought no other regrets to compatriots, friends or relatives, for a life well spent in capable, conscientious, faithful, loyal, upright service leaves only happy, pleasant memories. A picture the Editor has, personally, of an incident recited by him a few years ago, will remain, ever, as an inspiration to courage, fidelity, and a strictness of honor and integrity. We rejoice that he lived among us, and that circumstance permitted so many to make contact with this clean-chiselled character in an age of dissention and doubt.

RULES OF PRACTICE

We are indebted to Professor Moley's magazine "Today" for the following:

"The enactment by Congress of one of the most sweeping legal reforms in the history of the United States has gone almost unnoticed by the press. Congress has provided that the Supreme Court of the United States may prescribe uniform laws of practice and procedure in actions at law in the Federal courts. To vest this power in the courts rather than in the legislature has been the objective of practically every forward-thinking student of the administration of justice for a generation. It moves the Federal courts a long way in the direction of simple, expeditious and inexpensive litigation. Much credit is due for the initiation and enactment of this measure to Attorney General Cummings, Senator Ashurst and Representative Sumners."

SMALL CLAIMS PROCEDURE

One of the important reforms needed for our drawn-out legal procedure is one providing for a speedy, adequate remedy to those having small claims to be settled. For illustration, we point to Section 15 of the Minimum Wage Act (Supp. 396b15) which reads: "If any woman worker shall be paid by her employer less than the minimum

wage to which she is entitled . . . she may recover in a civil action the full amount of her said minimum wage less any amount actually paid . . . together with such attorney's fees as may be allowed."

There is the law, as plain as the sky on a sunny day, but neither the lawyers nor the underpaid women workers dare to test the efficiency of that bulwark of our legal machinery, the justice court, for when they do, the result is N-I-L.

AMERICAN GOVERNMENT

Periodically we re-read House Document No. 398, the contemporary record of the constitutional convention, and each time we are impressed with the thought underlying the framework of the United States Constitution. The preservation of liberty, the escape from abuse of power, the fear of future oppression led to the adoption of an instrument that definitely enumerates and limits the delegation of governmental authority.

Col. Hamilton spoke truly, at that time, when he said, "A reliance on pure patriotism has been the source of many of our errors."

James Madison: "The backwardness of the best citizens to engage in the legislative service gives but too great success to unfit characters."

James Madison: "If it be essential to the preservation of liberty that the legislative, executive and judiciary powers be separate, it is essential to a maintenance of the separation that they should be independent of each other."

CHALLENGING GRAND JURIES

If you have a little spare time these days we invite you to find the musty volume 25 Federal Cases, wherein, on page 55, you will find Coombs report of the trial of Aaron Burr. We refer you to this case at this time because of our reference to the ruling of the Illinois Supreme Court, under the heading of "Our Need" in the March issue of Briefs.

The 1934 ruling of the Illinois Supreme Court, by the way, is a reversal of its February, 1933, decision, in which it was held that the summoning of fifty men from whom to pick a grand jury of twenty-three was within the reasonable discretion of the judge in order to save money and time.

OTHERS SEEM TO UNDERSTAND

Our editorial re the punch-board and slot-machine rackets hasn't caused any great reverberations hereabouts, but, two weeks after its publication, orders went out in Minneapolis to "clean up." A friend sent us a copy of the order, which says, "We will not tolerate these mechanical gambling devices in Minneapolis."

GOING TOO STRONG

We did not have the opportunity to hear Milo Reno in Bismarck, but we have talked with some who did. They quote him as saying, "In Iowa we spank our judges." If correctly quoted, that language voices an attitude that is not in furtherance of the good of the "common people."